

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

Michael W. Waite,

Plaintiff,

Civil Case No. 19-11848

v.

Commissioner of Social Security,

Defendant.

Sean F. Cox
United States District Court Judge

ORDER ADOPTING

7/30/20 REPORT AND RECOMMENDATION

Plaintiff Michael W. Waite filed this action appealing a final decision of Defendant Commissioner of Social Security denying his application for supplemental social security benefits under the Social Security Act.

The matter was referred to Magistrate Judge Elizabeth Stafford for determination of all non-dispositive motions under 28 U.S.C. § 636(b)(1)(A) and issuance of a report and recommendation pursuant to 28 U.S.C. § 636(b)(1)(B) and (C). Thereafter, the parties filed cross-motions for summary judgment.

In a Report and Recommendation (“R&R”) issued on July 30, 2020, the magistrate judge recommends that the Court: 1) grant Plaintiff’s motion; 2) deny Defendant’s motion; and 3) remand the matter under sentence four of 42 U.S.C. § 405(g) for further consideration consistent with the R&R. (ECF No. 20).

Pursuant to FED. R. CIV. P. 72(b), a party objecting to the recommended disposition of a matter by a Magistrate Judge must file objections to the R&R within fourteen (14) days after

being served with a copy of the R&R. “The district judge to whom the case is assigned shall make a *de novo* determination upon the record, or after additional evidence, of any portion of the magistrate judge’s disposition to which specific written objection has been made.” *Id.*

The time for filing objections to the R&R has expired and the docket reflects that neither party has filed objections to the R&R. The Court hereby ADOPTS the July 30, 2020 R&R.

IT IS ORDERED that Plaintiff’s Motion for Summary Judgment is GRANTED.

IT IS FURTHER ORDERED that the Commissioner’s Motion for Summary Judgment is DENIED.

IT IS FURTHER ORDERED that the matter is REMANDED under sentence four of 42 U.S.C. § 405(g) for further consideration consistent with the magistrate judge’s R&R dated July 30, 2020.

IT IS SO ORDERED.

s/Sean F. Cox
Sean F. Cox
United States District Judge

Dated: August 21, 2020